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Vox Regis:

OR, THE

DIFFERENCE

BETWIXT A

KING Ruling by LAW,

AND A

TYRANT

BY HIS

Own Will:

With the Excellency of the *ENGLISH* Laws, Rights and Priviledges.

In Two SPEECHES of King *JAMES* to the PARLIAMENTS in 1603. and *March* 21. 1609. And in his *Basilicon Doron.*

Which may be an APPENDIX to *Vox Populi.*

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As an APPENDIX *to what hath been ſaid in* Vox Populi *(being ſo much in the Juſtification thereof) we ſhall preſume to annex part of King* James *his Speeches to the Parliaments in* 1603, *and* 1609. *As alſo his Advice to his Son in his* Bazilicon Doron, *viz.*

In his Speech to the Parliament 1603. he expreſſeth himſelf in theſe words, *viz.*

'I Do acknowledge that the ſpecial and greateſt point of 'difference that is betwixt a righfull King and an uſurp-'ing Tyrant, is in this: That whereas the proud and am-'bitious Tyrant doth think his Kingdom and People are only 'ordained for ſatisfaction of his deſires and unreaſonable Ap-'petites, *The righteous and juſt King doth by the contrary ac-'knowledge himſelf to be ordained for the procuring of the Wealth 'and Proſperity of his People; and that his great and principal 'worldly felicity muſt conſiſt in their Proſperity:* If you be 'rich, I cannot be poor; if you be happy, I cannot but be for-'tunate; and I proteſt your welfare ſhall ever be my greateſt 'care and contentment. And that I am a Servant, it is moſt true, 'that as I am Head and Governour of all the People in my Do-'minion who are my natural Subjects, conſidering them in 'diſtinct ranks, ſo if we will take in the People as one Body, '*then as the Head is ordained for the Body, and not the Body 'for the Head, ſo muſt a Righteous King know himſelf to be Or-'dained for his People, and not his People for him.*

'Wherefore, I will never be aſhamed to confeſs it my *prin-'cipal Honour to be the great Servant of the Common-wealth*, and 'ever think the Proſperity thereof to be my greateſt Feli-'city, *&c.*

In his Speech to the Parliament, *March* 21. 1609. he expreſſeth himſelf as followeth.

'IN theſe our times we are to diſtinguiſh betwixt the State 'of Kings in the firſt Original, and between the State of 'ſettled Kings and Monarchs, that do at this time Govern 'in Civil Kingdoms: For even as God during the time of the 'Old Teſtament, ſpake by Oracles and wrought by Miracles,

'yet how ſoon it pleaſed him to ſettle a Church (which was 'bought and Redeemed by the Blood of his only Son Chriſt) 'then was there a ceſſation of both: He ever after Govern- 'ing his Church and People within the limits of his *revealed* '*Will*. So in the firſt Original of Kings, whereof ſome 'had their beginning by *Conqueſt*, and ſome by *Election* of the 'People, their Wills at that time ſerved for a Law; yet how 'ſoon Kingdoms began to be ſettled in Civility and Policy, then 'did Kings ſet down their Minds by Laws, which are pro- 'perly made by the King only; but at the Rogation of the 'people, the Kings Grant being obtained thereunto; and ſo 'the King came to be *Lex loquens*, a ſpeaking Law, after a 'ſort binding himſelf by a double *Oath* to the obſervation of 'the *Fundamental Laws* of his Kingdom: Tacitly as by be- 'ing a King, and ſo bound to protect as well the People as 'the Laws of his Kingdom; and expreſly by his *Oath* at his 'Coronation: ſo as every juſt King in a ſettled Kingdom is 'bound to obſerve that *Paction* made to his People by his Laws, 'in framing his Government agreeable thereunto, according 'to that Paction which God made with *Noah* after the deluge: '*Hereafter Seed-time and Harveſt, Summer and Winter, Cold and* 'Heat, *Day and Night ſhall not ceaſe, ſo long as the Earth re-* 'mains. *And therefore a King Governing in a ſettled* 'Kingdom, leaves to be a King and degenerates into a Ty- 'rant as ſoon as he leaves off to Rule according to his Laws.* 'In which caſe the Kings Conſcience may ſpeak unto him 'as the poor Widow ſaid to *Philip* of *Macedon*, Either Govern 'according to your Law, *aut ne Rex ſis*, or ceaſe to be King; 'and though no Chriſtian man ought to allow any Rebellion 'of People againſt their Prince, yet doth God never leave 'Kings unpuniſhed when they tranſgreſs theſe limits. For in 'that ſame *Pſalm* where God ſaith to Kings, *Vos dii eſtis*, *Ye* 'are Gods, he immediately thereafter concludes, *But ye ſhall* 'dye like men: the higher we are placed, the greater ſhall our 'fall be; *Ut caſus ſic dolor*, as the fall, ſo the grief, the taller 'the Trees be, the more in danger of the Wind; and the 'tempeſt beats ſoreſt upon the higheſt Mountains. *Therefore* 'all Kings that are no Tyrants or Perjured, will be glad 'to bound themſelves within the limits of their Laws, and

'they

'*they that perswade them the contrary, are Vipers and Pests both against them and the Common-wealth.* For it is a great 'difference betwixt a Kings Government in a settled Estate; 'and what Kings in their Original power might do in *Indivi-dio vago*: As for my part, I thank God I have ever given good 'proof that I never had intention to the contrary: And I am 'sure to go to my grave with that reputation and comfort, 'that never King was in all his time more careful to have his 'Laws duely observed, and himself to Govern thereafter, 'than I.

'That Just Kings will ever be willing to declare what they 'will do, if they will not incur the Curse of God. I will not 'be content that my power be disputed upon, but I shall ever 'be willing to make the reason appear of all my doings, and 'Rule my actions according to the Laws.

And afterwards speaking of the Common Law of *England*, which some conceived he contemned, saith to this purpose. 'That as a King he had least cause of any man to dislike the 'Common Law: for no Law can be more favourable and ad-'vantageous for a King, and extendeth further his Prerogative, 'than it doth; and for a King of *England* to despise the Com-'mon Law, it is to neglect his own *Crown*. It is true, that no 'Kingdom in the world but every one of them hath their own 'Municipal Laws agreeable to their Customs, as this King-'dom hath the Common Law. Nay, I am so far from disal-'lowing the Common Law, as I protest that if it were in my 'hand to choose a new Law for this Kingdom, I would not 'only prefer it before any other National Law, but even before 'the very Judicial Law of *Moses*, for conveniency to this King-'dom at this time, though in another respect I must say, both 'our Law and all Laws else are very inferior to that Judicial 'Law of God; for no Book nor Law is perfect nor free from 'corruption, except only the Book and Law of God. And 'therefore I could wish that some corruptions might be purged 'and cleared in the Common Law, but alwayes by the advice 'of Parliaments; for the King with his Parliament here are abso-'lute in making or forming of any sort of Laws.

'First, I could wish that it were written in our Vulgar Lan-'guage; for now it is an Old mixt corrupt Language, only un-

'derstood

'derſtood by Lawyers: whereas every Subject ought to under-
'ſtand the Law under which he lives: for ſince it is our Plea
'againſt the Papiſts, that the Language in Gods Service ought
'not to be in an unknown Tongue, according to the Rule in the
'Law of *Moſes*, that the Law ſhould be written in the fringes of
'the Prieſts Garment, and ſhould be publickly read in the ears
'of all the people; ſo me thinks ought our Law to be made as
'plain as can be to the People, that the excuſe of Ignorance may
'be taken from them for conforming themſelves thereunto.

'Next, our Common Law hath not a ſettled Text, being
'chiefly grounded upon Old Cuſtoms, which you call *Reſpon-*
'*ſa Prudentum*——I could wiſh that ſome more certain
'were ſet down in this caſe by Parliament: for ſince the Reports
'themſelves are not alwayes ſo binding, but that diverſe times
'Judges do diſclaim them, and recede from the Judgment of
'their Predeceſſors: it were good that upon a mature delibe-
'ration the Expoſition of the Law were ſet down by Act of Par-
'liament, and ſuch Reports therein confirmed as were thought
'fit to ſerve for Law in all times hereafter, and ſo the people
'ſhould not depend upon the bare Opinions of Judges, and un-
'certain Reports.

'And laſtly, there be in the Law contrary Reports and Preſi-
'dents; and this corruption doth likewiſe concern the Statutes and
'Acts of Parliament, in reſpect there are divers croſs and cuffing
'Statutes, and ſome ſo penn'd as they may be taken in diverſe
'yea contrary ſences. And therefore would I wiſh both thoſe
'Statutes and Reports, as well in the Parliament as Common
'Law, to be once materially Reviewed and Reconciled.

'And that not only Contrarieties ſhould be ſcraped out of
'our Books, but that even ſuch penal Statutes as were made but
'for the uſe of the time (for breach whereof no man can be
'free) which do not now agree which the condition of this
'our time, might likewiſe be left out of our Books, which under
'a Tyrannous and avaritious King could not be endured.

'And this Reformation might, we think, be made a worthy
'work, and well deſerves a Parliament to be ſet of purpoſe for
'it, *&c.*

And as to the point of Grievances tells them, "That there are
'two ſpecial cauſes of the peoples preſenting Grievances to
'their King in time of Parliament.

'Firſt,

'First, for that the King cannot at other times be so well 'informed of all the Grievances of his People, as in time of 'Parliament, which is the Representative Body of the whole 'Realm. Secondly, the Parliament is the highest Court of 'Justice, and therefore the fittest place where divers natures 'of Grievances may have their proper remedy by the establish-'ment of good and wholsome Laws: Wherein he addresses 'himself especially to the lower House, who as representing the 'Body of the People, may as it were both *Oppotunè* & *Inoppor-'tunè*, in season and out of season; I mean either in Parliament 'as a Body, or out of Parliament as private men, present your 'grievances unto me.——————

'I am not to find fault that you inform your selves of the par-'particular Grievances of the people: *Nay I must tell you, ye 'can neither be just nor faithful to me or to your Countryes that 'trust and imploy you, if you do not; for true plaints proceed 'not from the persons imployed, but from the Body represented, 'which is the People.* And it may very well be, that many Di-'rections and Commissions justly given forth by me, may be 'abused in the execution thereof upon the People, and yet I 'never to receive information, except it come by your means 'at such a time as this is.

To which we may add what he saith to his Son, in his *Basilikon Doron*, p. 155, 156, of his Works, *viz.*

'For the part of making and Executing of Laws, consider 'first the true difference betwixt a Lawful King and a Usurping 'Tyrant, and ye shall the more easily understand your Duty 'herein; for *contraria juxta se posita magis elucescunt.* The one 'acknowledgeth himself Ordained for his People, having re-'ceived from God a burden of Government, whereof he must 'be accountable: The other thinketh his People Ordained for 'him, a prey to his Passions and inordinate Appetites, as the 'Fruits of his Magnanimity: And therefore as their ends are 'directly contrary, so are their whole Actions, as means where-'by they press to attain to their ends: A good King thinketh 'the highest Honour to consist in the due discharge of his Call-'ing, imployeth all by Study and Pains to procure and maintain, 'by the making and Execution of good Laws, the Welfare and 'Peace of his People; and as their natural Father and kindly

'Master

'Master, thinketh his greatest contentment, standeth in their Pro-
'sperity, and his greatest surety in having their hearts, subject-
'ing his own private affections and Appetites to the Weal and
'standing of his Subjects, ever thinking the Common Interest
'his chiefest particular: Whereby the contrary, an Usurping
'Tyrant thinking his greatest Honour and Felicity to consist
'in attaining, *per fas aut nefas*, to his ambitious pretences, think-
'eth never himself sure but by the Dissention and Factions a-
'mong his People, and Counterfeiting the Saint while he once
'creep in Credit, will then (by inverting all good Laws to
'serve only his unruly private Affections) frame the Common
'Weal ever to advance his particular, building his surety upon
'his Peoples Misery; and in the end (as a Step-Father and an
'uncouth Hireling) make up his own hand upon the Ruins of
'the Republick; and according to their Actions so receive they
'their Reward.

'For a good King after a happy Reign, Dieth in Peace, La-
'mented by his Subjects, admired by his Neighbours, and
'leaving a reverence behind him on Earth, obtaineth the Crown
'of Eternal Felicity in Heaven. And although some of them
'(which falleth out very rarely) may be cut off by the Trea-
'son of some unnatural Subjects, yet liveth their fame after
'them, and some notable plague faileth never to overtake the
'committers in this life, besides their infamy to all posterities
'hereafter.

'Whereby the contrary, a Tyrants miserable and infamous
'life armeth in the end his own Subjects to become by Burre-
'aux; and although that Rebellion be ever unlawful on their
'part, yet is the world so wearied of him, that his fall is little
'meaned by the rest of his Subjects, and but smiled at by his
'Neighbours. And besides, the infamous memory he leaveth
'behind him here, and the endless pain he sustaineth hereafter,
'it oft falleth out, that the Committers not only escape unpu-
'nished, but further, the fact will remain as allowed by the Law
'in divers ages thereafter.

'It is ease then for you, my Son, to make a choice of one of
'these two sorts of Rulers, by following the way of Vertue to
'establish your standing.

FINIS.

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